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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 RONALD DUNCAN,)
)
 Defendant.)

No. CR 05 0427 JSW

~~PROPOSED~~ ORDER AND STIPULATION
 EXCLUDING TIME FROM JULY 28, 2005
 TO AUGUST 11, 2005 FROM THE SPEEDY
 TRIAL ACT CALCULATION
 (18 U.S.C. § 3161(h)(8)(A))

The parties appeared before the Court on July 28, 2005. The Court enters this order scheduling a further status hearing on August 11, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from July 28, 2005 to August 11, 2005. The parties agreed, and the Court found and held, as follows:

1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to review discovery, and would deny the defendant continuity of counsel.

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STIPULATION AND ORDER
 CR 05-0427 JSW

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from July 28, 2005 to August 11, 2005, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from July 28, 2005 to August 11, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. The Court scheduled a status hearing on August 11, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White.

IT IS SO STIPULATED.

DATED: 8/2/05

/s/

TRACIE L. BROWN
Assistant United States Attorney

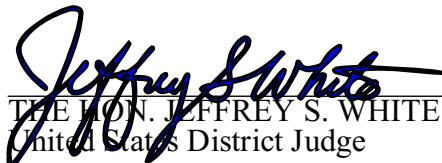
DATED: 8/8/05

/s/

RONALD TYLER
Attorney for Ronald Duncan

IT IS SO ORDERED.

DATED: August 11, 2005



THE HON. JEFFREY S. WHITE
United States District Judge